



# Energy Act 2008

## 2008 CHAPTER 32

### PART 3

#### DECOMMISSIONING OF ENERGY INSTALLATIONS

#### CHAPTER 1

#### NUCLEAR SITES: DECOMMISSIONING AND CLEAN-UP

#### *Enforcement*

#### **57 Offence to fail to comply with approved programme**

- (1) It is an offence for a site operator or a body corporate associated with a site operator (a “relevant person”) to fail to comply with an obligation imposed on the relevant person by an approved funded decommissioning programme in respect of the site.
- (2) In proceedings against a person for an offence under this section, it is a defence for the person to prove that due diligence was exercised to avoid committing the offence.
- (3) A person guilty of an offence under this section is liable—
  - (a) on summary conviction, to a fine not exceeding the statutory maximum, or
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or both.

#### **Commencement Information**

**II** S. 57 in force at 6.4.2009 by [S.I. 2009/45](#), [art. 4\(b\)\(i\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2008, Section 57.